

# Copyright

## Some Copyright Reminders:

- Educational "Fair Use" is not a justification for defying the Law.
- Any resources used in any type of project must be given proper credit.
- Consider materials found on the Internet to be copyrighted unless specifically noted as "copyright free" or "royalty free."
- Copyrighted materials on the Internet have the same rights and protection as any other copyrighted materials.
- Access to information does not mean freedom to copy and use.
- Multimedia projects cannot be posted on a web site without prior permission from every copyright holder whose work was used.
- Archival copies may not be used unless the original has been destroyed and documentation permits making archival copies.
- Videos cannot be used for reward, entertainment, or any other use that would constitute a public performance. The charging of admission fees is not a determining factor.
- Movies are not meant to be a means of "crowd control."

---

### For more information...

- Bruwelheide, Janis H. (1987) *The Copyright Primer for Librarians and Educators*. Chicago, IL: American Library Association.
- Bielefield, Arlene and Lawrence Cheeseman. (1997) *Technology and Copyright Law: A Guidebook for the Library, Research, and Teaching Professions*. 2<sup>nd</sup> ed. New York, NY: Neal-Schuman Publishers.
- Simpson, Carol Mann. (2005) *Copyright for Schools: A Practical Guide*. 4<sup>th</sup> ed. Columbus, OH: Linworth Publishing.
- <http://lcweb.loc.gov/copyright/>
- Martha Alewine, State Consultant for School Library Media Services (malewine@ed.sc.gov)



Frequently  
Asked  
Questions  
A Quick Reference

James H. Rex  
State Superintendent of Education

South Carolina Department of Education  
Office of Technology  
School Library Media Services  
1429 Senate Street  
Columbia, South Carolina 29201  
<http://ed.sc.gov/agency/offices/tech/ms/lms/>

### The Copyright Law. . .

applies to all formats, e.g. print and electronic. Educators may use copyrighted resources under the "Fair Use" guidelines provided the use meets these four criteria:

- the **purpose** of the use;
- the **nature** of the work used;
- the **amount** of the work used; and
- the **effect** the use will have on the potential market for the work used.

---

### Just What Can I Do?

- Show a video of a broadcast television program within ten **school** days of the broadcast.
  - Show a movie (even if it is labeled "for home use only" ) if it meets the following criteria:
    1. The movie is part of face-to-face instruction.
    2. The use of the movie is documented in the lesson plan.
    3. The movie supports the goals and objectives of the lesson.
    4. The movie is a true and legal copy (i.e., has not been dubbed from another video or recorded from a premium television channel).
  - Use parts of legally attained and properly credited copyrighted materials for instructional purposes and for student projects, including multimedia presentations.
  - Retain multimedia projects for instructional purposes for up to two years after the first use; after two years the teacher must have written permission to use any copyrighted materials.
  - Retain the project indefinitely, if it is needed for presentations to peers (i.e. conferences, in-service workshops), job performance evaluations, or interviews.
  - Use materials that are directly connected to your curriculum.
  - Make a class set of print copies if the copying meets the criteria of:
    1. brevity;
    2. spontaneity; and
    3. cumulative effect.
- NOTE: Copies may not be given to the students. All copies must be destroyed after the lesson, unless prior written permission has been obtained.
- Utilize Cable-in-the-Classroom, ITV, and PBS programming.

**Students** may keep their multimedia projects containing copyrighted materials as part of their electronic portfolios for school and/or job interviews.



**Students** may perform/display their projects in the course for which they were created. These multimedia projects may not be posted on a public website without prior written permission.

---

### So I Can't...

- Show a movie or other program that has been recorded from a premium cable channel (e.g. HBO, Disney, A&E, Turner, The History Channel).
- Edit a movie or recording of a television program.
- Scan a book to create a PowerPoint presentation.
- Show a movie for reward or entertainment.
- Create anthologies for my students in place of purchasing these materials.
- Make multiple copies of computer software programs.
- Load a single-user copy of a computer software program on multiple computers.
- Make print copies for every student I teach.
- Use copies (this includes painted copied) of cartoon, TV, or film characters for classroom/hallway decorations, bulletin boards, newsletters, or hand-outs.
- Use portions of copyrighted materials in multimedia projects beyond the Fair Use limits.
- Copy entire workbooks, test booklets, etc., in place of purchasing.
- Make illegal copies at the direction of a supervisor, e.g. principal, other administrators, district personnel.
- Post presentations on the Internet without prior written permission from every copyright holder whose work was used.

---

### How Much Can I Copy?

*In any **one** semester a teacher may use...*

- **Motion media:** 10% or 3 minutes, whichever is less, of a single work.
- **Print media:** 10% or 1000 words, whichever is less, of a single work.
- **Poems (less than 250 words):** the entire poem; no more than three poems by one poet or five poems from one anthology.
- **Poems (more than 250 words):** up to 250 words; no more than three excerpts from one poet, no more than five excerpts by different poets from a single anthology.
- **Music, lyrics, music videos:** up to 10%, no more than thirty seconds of music and lyrics from a single work.
- **Illustrations/photographs:** Entire image; no more than five images by single artist/photographer; no more than 10%, or fifteen images, whichever is less, from a collection published as a single work.